

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

California Water Service Company (U 60-W), for Authority to Increase Rates Charged for Water Service in the Antelope Valley District by \$437,218 or 36.94% in Fiscal Year 2006-2007; by \$145,000 or 8.94% in Fiscal Year 2007-2008; and by \$145,000 or 8.21% in Fiscal Year 2008-2009.

Application 05-08-006
(Filed August 8, 2005)

And Related Matters.

Application 05-08-007
Application 05-08-008
Application 05-08-009
Application 05-08-010
Application 05-08-011
Application 05-08-012
Application 05-08-013
(Filed August 8, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
EXTENDING TIME TO FILE SETTLEMENT**

On February 28, 2006, California Water Service Company and the Commission's Division of Ratepayer Advocates filed a joint motion to extend the time limit set by the Commission's Rules of Practice and Procedure, Rule 51.2. Rule 51.2 provides, "Parties to a Commission proceeding may propose a stipulation or settlement for adoption by the Commission . . . within 30 days after last day of hearing." The last day of evidentiary hearing in this consolidated general rate case proceeding was January 31, 2006; 30 days after that date would be March 2, 2006. CalWater and DRA seek to extend the Rule 51.2 deadline by

one week, to March 9, 2006. March 9, 2006 is also the date previously set for submitting the record in this proceeding.

Since the time of the prehearing conference, the Assigned Commissioner and Administrative Law Judge have consistently encouraged all of the parties to discuss their differences and arrive at commonly agreed-upon positions on their issues to the extent it is possible to do so.¹ It has been apparent from their statements since that time that all parties have made a good faith effort to do just that. As the joint motion explains, CalWater and DRA have continued their settlement discussions right up to the February 27th filing date for opening briefs, and have now resolved “almost all of the issues . . . as they relate to DRA’s protests.”² Indeed, their opening briefs seem to confirm that. They now need an additional week to properly document their agreement and file it for the Commission’s consideration (Rule 51.3).

Because the Rules provide parties not expressly joining a proposed settlement an opportunity to review and comment on it (Rule 51.4), no other party will be disadvantaged by granting CalWater and DRA the extension they seek. CalWater implicitly acknowledges and accepts, as it has for other deviations from the Rate Case Plan schedule in this proceeding, the possibility that an extension here could affect the date the Commission issues its decision and revised rates become effective.

¹ See, e.g., the October 21, 2005 Scoping Memo and Ruling of the Assigned Commissioner.

² The joint motion does not indicate the positions of the other parties with respect to a proposed CalWater and DRA settlement.

IT IS RULED that the Joint Motion of California Water Service Company and the Division of Ratepayer Advocates to Extend Date for Submission of Motion to Approve Settlement Documentation is granted. The date otherwise applicable under Rules 51.2 and 51.3 for proposing and filing any settlement in this proceeding is extended to March 9, 2006.

Dated March 2, 2006, at San Francisco, California.

/s/ JAMES C. McVICAR

James C. McVicar
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Extending Time to File Settlement on all parties of record in this proceeding or their attorneys of record.

Dated March 2, 2006, at San Francisco, California.

/s/ ELIZABETH LEWIS

Elizabeth Lewis

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.